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REVIEWS.

DEUTSCHE RECHTSGESCHICHTE. Von Heinrich Brunner. Erster Band XII., 412 S. 1887. Preis, 9 M. 60 Pf. Zweiter Band XI., 762 S. 1892. Preis, 17 M. Leipzig: Duncker und Humblot.

This is the latest and the best of the histories of German law. Professor Brunner's brilliant solution of that long-standing puzzle, the origin of the jury, has given him a distinction for all time with students of English law. As might be expected, the book before us discloses a rare familiarity with the sources of our law, and at many points shows the connection between English and Teutonic legal institutions. To mention a single instance, the learned reader will find, in section 118 of the second volume, a clear exposition of the pursuit of stolen chattels, the origin of that tissue of fictions, the modern count in trover. The work richly merits an English translation.

J. B. A.

THE RAILROADS AND THE COMMERCE CLAUSE. By Francis Cope Hartshorne. pp. xxiii, 165. Philadelphia: University of Pennsylvania Press. 1893.

This is an excellent little book, and very timely. It discusses the main questions arising out of the Federal power to regulate interstate and foreign commerce, with clearness and discrimination, and with competent business knowledge and legal learning. The author has a just appreciation of the enormous reach of power that belongs to the general government under the head of regulating these branches of commerce, and he follows it out to the simple conclusion which he quotes from Mr. Justice Bradley, in *Stockton v. B. & N. Y. R. R. Co.*, 32 Fed. Rep. 9 (1887), that, "In matters of foreign and interstate commerce there are no States." The body of the work is in three parts. Part I. discusses the power of Congress in regulating railroads; Part II., that of the States; Part III., the power of the States over the taxation of railroads. Throughout, the discussion is equally intelligent and instructive. One who would reach a just understanding of the present state of the doctrine of the Federal courts upon the extremely difficult subject of the regulation of foreign and interstate commerce will find nothing better than this little treatise by Mr. Hartshorne, and its worthy fellow (published, like this, under the auspices of the University of Pennsylvania), Mr. William Draper Lewis's "Federal Power over Commerce."

J. B. T.